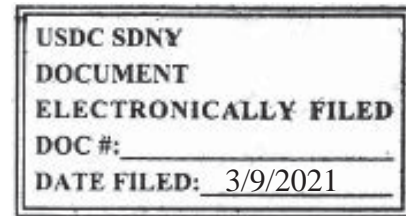


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



Lauren Yu,

Plaintiff,

—v—

Froneri US, Inc.,

Defendant.

20-cv-8512 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

On March 5, 2021, the Defendant filed a motion to dismiss the Complaint. Dkt. No. 14. Pursuant to Rule 3.F of this Court’s Individual Practices in Civil Cases, on or before March 18, 2021, Plaintiff must notify the Court and her adversary in writing whether (1) she intends to file an amended pleading and when she will do so or whether (2) she will rely on the pleading being attacked. Plaintiff is on notice that declining to amend her pleadings to timely respond to a fully briefed argument in the Defendant’s March 5, 2021 motion to dismiss may well constitute a waiver of the Plaintiff’s right to use the amendment process to cure any defects that have been made apparent by the Defendant’s briefing. *See Loreley Fin. (Jersey) No. 3 Ltd. v. Wells Fargo Sec., LLC.*, 797 F.3d 160, 190 (2d Cir. 2015) (leaving “unaltered the grounds on which denial of leave to amend has long been held proper, such as undue delay, bad faith, dilatory motive, and futility”).

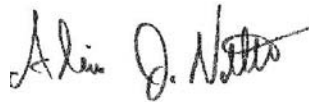
If Plaintiff chooses to amend, the Defendant may then (a) file an answer; (b) file a new motion to dismiss; or (c) submit a letter stating that it will rely on the initially filed motion to dismiss.

Nothing in this Order alters the time to amend, answer or move provided by the Federal

Rules of Civil Procedure or Local Rules.

SO ORDERED.

Dated: March 8, 2021
New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan", with a stylized flourish at the end.

ALISON J. NATHAN
United States District Judge